

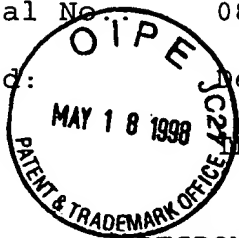
2921  
Sector #  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Albrecht WENDEL et al.

Serial No. 08/996,768

Filed: December 23, 1997

For: BEST PROCEDURE WITH BIOLOGICAL SYSTEM



RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
APPLICATION UNDER 37 C.F.R. §1.53

Box Missing Parts  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Attention: APPLICATION BRANCH  
MISSING PARTS OF APPLICATION

RECEIVED

MAY 26 1998

MAY 26 1998  
MAY 26 1998

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notice To File Missing Parts of Application under 37 C.F.R. §1.53, mailed March 16, 1998, copy attached.

- ☐ Declaration in compliance with 37 C.F.R. §1.63.
- ☒ Declaration in compliance with 37 C.F.R. §1.63, attached to copy of application as originally filed.
- ☒ Small Entity Declaration (two sheets) under 37 C.F.R. §§1.9 and 1.27.
- ☒ Certified copy of German Application No. 196 54 266.9, filed December 23, 1996, the priority of which is claimed under 35 U.S.C. §119.
- ☒ Assignment Document and Cover Sheet, with \$40.00 fee for recordation of Assignment.
- ☒ If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

Serial No.: 08/996,768

X Filing Fee, calculated as follows:

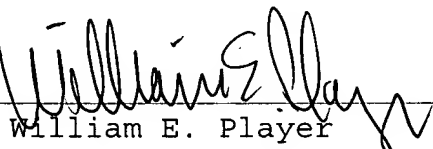
	<u>Small Entity</u>	
Basic Filing Fee	\$395.00	395.00
Total Claims 18 - 20 = 0	(x \$11) =	.00
Indep. Claims 2 - 3 = 0	(x \$41) =	.00
<u>X</u> Surcharge: Late Filing	+ \$65	65.00
		<sup>+</sup> -----
<b>TOTAL FILING FEES</b>		<b>\$460.00</b>

Check No. 37639, in the amount of \$ 500.00, is enclosed to cover the filing fee and late filing surcharge, as well as Assignment recordation fee. The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON, PRICE, HOLMAN & STERN, PLLC

By

  
William E. Player  
Reg. No. 31,409

400 Seventh Street, N.W.  
Washington, D.C. 20004-2201  
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Atty. Docket No.: P61750US0  
Date: May 18, 1998  
WEP:jrc



UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
08/996,768	12/23/97	WENDEL	A F61750USD

0242/0316

NOT ASSIGNED

JACOBSON PRICE HOLMAN & STERN  
 JENIFER BUILDING  
 400 SEVENTH STREET NW  
 WASHINGTON DC 20004

1643

DATE MAILED:

03/16/98

### NOTICE TO FILE MISSING PARTS OF APPLICATION

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 790.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
- ☐ insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_ including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration.

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

05/21/1998 ☒ 8. This application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

01 FC:201  
02 FC:205

9. OTHER: 395.00 pp  
65.00 pp

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Custom & Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Adjusted date: 5/21/1998  
 02/10/1998  
 01 FC:101  
 BALEXAMC 061358 00004047 790.00 CR